

House Study Bill 275

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY HOUSE
APPROPRIATIONS SUBCOMMITTEE
ON JUSTICE SYSTEM)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to the judicial
2 branch, and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1090HA 81
5 jm/pj/5

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1 1 JUDICIAL BRANCH
1 2 Section 1. JUDICIAL BRANCH.
1 3 1. There is appropriated from the general fund of the
1 4 state to the judicial branch for the fiscal year beginning
1 5 July 1, 2005, and ending June 30, 2006, the following amount,
1 6 or so much thereof as is necessary, to be used for the
1 7 purposes designated:
1 8 For salaries of supreme court justices, appellate court
1 9 judges, district court judges, district associate judges,
1 10 judicial magistrates and staff, state court administrator,
1 11 clerk of the supreme court, district court administrators,
1 12 clerks of the district court, juvenile court officers, board
1 13 of law examiners and board of examiners of shorthand reporters
1 14 and judicial qualifications commission, receipt and
1 15 disbursement of child support payments, reimbursement of the
1 16 auditor of state for expenses incurred in completing audits of
1 17 the offices of the clerks of the district court during the
1 18 fiscal year beginning July 1, 2005, and maintenance,
1 19 equipment, and miscellaneous purposes:
1 20 \$118,084,282
1 21 2. In addition to the funds appropriated in subsection 1,
1 22 there is appropriated from the general fund of the state to
1 23 the judicial branch for the fiscal year beginning July 1,
1 24 2004, and ending June 30, 2005, an amount not exceeding
1 25 \$600,000 to be used for administration and operations. The
1 26 funds appropriated in this subsection are contingent upon
1 27 receipt by the general fund of the state of an amount at least
1 28 equal to the expenditure amount from costs or attorney fees
1 29 awarded the state in settlement of its antitrust action
1 30 against Microsoft brought under chapter 553. However, if the
1 31 amounts received as a result of this settlement are in excess
1 32 of \$600,000, the excess amounts shall not be appropriated to
1 33 the judicial branch pursuant to this subsection.
1 34 3. The judicial branch, except for purposes of internal
1 35 processing, shall use the current state budget system, the
2 1 state payroll system, and the Iowa finance and accounting
2 2 system in administration of programs and payments for
2 3 services, and shall not duplicate the state payroll,
2 4 accounting, and budgeting systems.
2 5 4. The judicial branch shall submit monthly financial
2 6 statements to the legislative services agency and the
2 7 department of management containing all appropriated accounts
2 8 in the same manner as provided in the monthly financial status
2 9 reports and personal services usage reports of the department
2 10 of administrative services. The monthly financial statements
2 11 shall include a comparison of the dollars and percentage spent
2 12 of budgeted versus actual revenues and expenditures on a
2 13 cumulative basis for full-time equivalent positions and
2 14 dollars.
2 15 5. The judicial branch shall focus efforts upon the
2 16 collection of delinquent fines, penalties, court costs, fees,
2 17 surcharges, or similar amounts.

2 18 6. It is the intent of the general assembly that the
2 19 offices of the clerks of the district court operate in all
2 20 ninety-nine counties and be accessible to the public as much
2 21 as is reasonably possible in order to address the relative
2 22 needs of the citizens of each county.
2 23 7. The judicial branch shall study the best practices and
2 24 efficiencies of each judicial district. In identifying the
2 25 most efficient judicial districts and the districts using best
2 26 practices, the judicial branch shall consider the average cost
2 27 to the judicial branch for processing each classification of
2 28 criminal offense or civil action and the overall number of
2 29 cases filed. The judicial branch shall file a report
2 30 regarding the study made and actions taken pursuant to this
2 31 subsection with the cochairpersons and ranking members of the
2 32 joint appropriations subcommittee on the justice system and to
2 33 the legislative services agency by December 15, 2005.

2 34 8. In addition to the requirements for transfers under
2 35 section 8.39, the judicial branch shall not change the
3 1 appropriations from the amounts appropriated to the judicial
3 2 branch in this Act, unless notice of the revisions is given
3 3 prior to their effective date to the legislative services
3 4 agency. The notice shall include information on the branch's
3 5 rationale for making the changes and details concerning the
3 6 workload and performance measures upon which the changes are
3 7 based.

3 8 9. The judicial branch shall submit a semiannual update to
3 9 the legislative services agency specifying the amounts of
3 10 fines, surcharges, and court costs collected using the Iowa
3 11 court information system since the last report. The judicial
3 12 branch shall continue to facilitate the sharing of vital
3 13 sentencing and other information with other state departments
3 14 and governmental agencies involved in the criminal justice
3 15 system through the Iowa court information system.

3 16 10. The judicial branch shall provide a report to the
3 17 general assembly by January 1, 2006, concerning the amounts
3 18 received and expended from the enhanced court collections fund
3 19 created in section 602.1304 and the court technology and
3 20 modernization fund created in section 602.8108, subsection 5,
3 21 during the fiscal year beginning July 1, 2004, and ending June
3 22 30, 2005, and the plans for expenditures from each fund during
3 23 the fiscal year beginning July 1, 2005, and ending June 30,
3 24 2006. A copy of the report shall be provided to the
3 25 legislative services agency.

3 26 Sec. 2. JUDICIAL RETIREMENT FUND. There is appropriated
3 27 from the general fund of the state to the judicial retirement
3 28 fund for the fiscal year beginning July 1, 2005, and ending
3 29 June 30, 2006, the following amount, or so much thereof as is
3 30 necessary, to be used for the purpose designated:

3 31 Notwithstanding section 602.9104, for the state's
3 32 contribution to the judicial retirement fund in the amount of
3 33 9.7 percent of the basic salaries of the judges covered under
3 34 chapter 602, article 9:

3 35 \$ 2,039,664

4 1 Sec. 3. APPOINTMENT OF CLERK OF COURT. The appointment of
4 2 a clerk of the district court shall not occur unless the state
4 3 court administrator approves the appointment.

4 4 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT ==
4 5 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
4 6 required to be provided by the judicial branch for fiscal year
4 7 2005=2006 to the legislative services agency shall be provided
4 8 in an electronic format. The legislative services agency
4 9 shall post the reports on its internet site and shall notify
4 10 by electronic means all the members of the joint
4 11 appropriations subcommittee on the justice system when a
4 12 report is posted. Upon request, copies of the reports may be
4 13 mailed to members of the joint appropriations subcommittee on
4 14 the justice system.

4 15 Sec. 5. EFFECTIVE DATE. The section of this Act
4 16 appropriating funds that are contingent upon the general fund
4 17 of the state receiving funds from the Microsoft settlement,
4 18 being deemed of immediate importance, takes effect upon
4 19 enactment.

4 20 EXPLANATION

4 21 This bill makes appropriations for FY 2005=2006 to the
4 22 judicial branch.

4 23 The bill makes an appropriation to the judicial branch
4 24 contingent upon the general fund of the state receiving moneys
4 25 from the antitrust action brought against Microsoft.

4 26 The bill provides that the appointment of a clerk of the
4 27 district court shall not occur unless the state court
4 28 administrator approves such an appointment.

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